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FM AMEMBASSY TOKYO  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8297  
INFO RUEHBJ/AMEMBASSY BEIJING 9370  
RUEHBY/AMEMBASSY CANBERRA 2386  
RUEHUL/AMEMBASSY SEOUL 5424  
RUEHFK/AMCONSUL FUKUOKA 3574  
RUEHNH/AMCONSUL NAHA 5986  
RUEHOK/AMCONSUL OSAKA KOBE 7233  
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SUBJECT: END OF THE DIET SESSION NOVEMBER, DECEMBER OR  
JANUARY 2008

11. (SBU) Summary. The Liberal Democratic Party (LDP) has declared its intention to introduce a new bill authorizing the refueling mission in the Indian Ocean in support of OEF. The introduction and timing of this new bill create the possibility that the current extraordinary Diet session will extend into 2008. An extension also depends heavily on tactics by the opposition Democratic Party of Japan (DPJ) in the Upper House. Three scenarios drawn from the Japanese press for the end of the session are outlined below. End summary.

12. (SBU) In the first scenario, the new anti-terrorism legislation is submitted to the Lower House on October 10 and the old legislation expires November 1. The Diet session ends on time on November 10 without enacting the new legislation, but discussions will continue when the regular session starts in January.

13. (SBU) In the second scenario, the first two steps remain the same -- new legislation is submitted and the old legislation expires. The new legislation then is passed in the Lower House but vetoed by the DPJ-controlled Upper House without delay, after which it returns to the Lower House where the veto is over-ridden by the ruling coalition's two-thirds supermajority. This scenario likely would prolong the session into mid-December.

14. (SBU) In the third scenario, the Upper House chooses to do nothing on the new legislation, which triggers a 60-day waiting period. After 60 days, the legislation is returned to the Lower House where it is passed with a two-thirds vote. The soonest the legislation is likely to go to the Upper House is around November 10, which means the legislation does not return to the Lower House until around January 9. A Diet session running through the New Year and abutting the start of the January regular session is virtually unprecedented.  
DONOVAN